

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION

DONALD RICHARD KARR JR.,

Plaintiff,

v.

PRESIDENT JOSEPH R. BIDEN,
UNITED STATES OF AMERICA,
DEPARTMENT OF VETERANS
AFFAIRS, ET AL.,

Defendants.

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1:24-CV-323-DII

ORDER

Before the Court is the report and recommendation of United States Magistrate Judge Susan Hightower concerning Plaintiff's Petition for Writ of Mandamus, (Dkt. 1). (R. & R., Dkt. 4).

Pursuant to 28 U.S.C. § 636(b) and Rule 1(d) of Appendix C of the Local Rules of the United States District Court for the Western District of Texas, Judge Hightower issued her report and recommendation on April 5, 2024. (*Id.*). As of the date of this order, no party has filed objections to the report and recommendation.

Pursuant to 28 U.S.C. § 636(b), a party may serve and file specific, written objections to a magistrate judge's proposed findings and recommendations within fourteen days after being served with a copy of the report and recommendation and, in doing so, secure de novo review by the district court. When no objections are timely filed, a district court can review the magistrate's report and recommendation for clear error. *See* Fed. R. Civ. P. 72 advisory committee's note ("When no timely objection is filed, the [district] court need only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation.").

Because no party has filed timely objections, the Court reviews the report and recommendation for clear error. Having done so and finding no clear error, the Court accepts and adopts the report and recommendation as its own order.

Accordingly, the Court **ORDERS** that the report and recommendation of United States Magistrate Judge Susan Hightower, (Dkt. 4), is **ADOPTED**.

IT IS FURTHER ORDERED that Plaintiff's Petition for Writ of Mandamus, (Dkt. 1), is dismissed as malicious under 28 U.S.C. § 1915(e)(2)(B)(i).

IT IS FURTHER ORDERED that Plaintiff is **WARNED** that if he continues to file frivolous or duplicative lawsuits, the Court may impose sanctions against him, including monetary sanctions and a pre-filing bar.

The Court will enter final judgment by separate order.

SIGNED on April 29, 2024.

A handwritten signature in blue ink, appearing to read 'R. Pitman', is written above a horizontal line.

ROBERT PITMAN
UNITED STATES DISTRICT JUDGE